



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING DEPARTMENT HEARING

*Promoting the wise use of land
Helping build great communities*

MEETING DATE December 2, 2005		CONTACT/PHONE Holly Phipps 781-1162		APPLICANT Steven A. Soto and James F. Soto		FILE NO. COAL 05-017 SUB2004-00387	
SUBJECT Request by Steven A. Soto & James F. Soto for a Lot Line Adjustment to adjust the lot lines between two parcels of 240 acres and 203 acres. The adjustment will result in two parcels of 257 acres and 186 acres. The project will not result in the creation of any additional parcels. The proposed project is within the Agriculture land use category and is located on the east side of Santa Rosa Creek Road approximately 7 miles east of Cambria from the intersection of Main Street. The site is in the Adelaida planning area.							
RECOMMENDED ACTION Approve Lot Line Adjustment COAL 05-017 based on the findings listed in Exhibit A and the conditions listed in Exhibit B							
ENVIRONMENTAL DETERMINATION A General Rule Exemption (ED05-011) was issued on July 11, 2005.							
LAND USE CATEGORY Agricultural		COMBINING DESIGNATION None		ASSESSOR PARCEL NUMBER 014-191-060 and 061		SUPERVISOR DISTRICT(S) 1	
PLANNING AREA STANDARDS: None							
LAND USE ORDINANCE STANDARDS: L.U.O. section 22.22.040 – Subdivision design, Agricultural category							
EXISTING USES: Residential dwelling, cattle grazing, vacant							
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Templeton Advisory Group, Public Works, Environmental Health, Ag Commissioner, CDF, Templeton CSD, RWQCB, Karen Nall Community Liaison							
TOPOGRAPHY: Steeply sloping with slopes over 30%.				VEGETATION: Grass lands, coast live oaks			
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CDF				ACCEPTANCE DATE: July 28, 2005			
SURROUNDING LAND USE CATEGORIES AND USES: North: Agricultural/single-family dwelling South: Rural Lands/vacant East: Agricultural/grazing West: Rural Lands/grazing							

ORDINANCE COMPLIANCE:

The applicant is proposing to adjust the lot lines between two legal parcels as follows:

EXISTING LOT SIZES (ACRES)	ADJUSTED PARCEL SIZES (ACRES)
240 acres	257 acres
203 acres	186 acres

Section 21.02.030 of the Real Property Division Ordinance states that a lot line adjustment shall not be approved or conditionally approved unless the new parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances.

The adjustment will result in the reconfiguration of the two parcels to configure the parcels to create two parcels of 257 and 186 acres each. The lot line adjustment is proposed to provide a building site that would reduce environmental impacts to the larger parcel. The proposal would relocate the existing agricultural access road on Parcel 1 to Parcel 2. The proposal is considered to be equal to the existing parcel configuration in terms of agricultural resources.

The present land use is grazing. According to Section 22.22.040 of the Land Use Ordinance the minimum parcel sizes for agriculture land used for grazing is 320 acres. Both existing parcels are legal nonconforming to minimum parcel size. Although the 203 parcel will become less conforming to minimum parcel size by the amount of 17 acres, the 240 acre parcel will become more conforming to minimum parcel size by the amount of 17 acres so the parcels resulting from the adjustment will maintain a position which is better than or equal to, the existing situation relative to the County's zoning and building ordinances.

SB 497

As of January 1, 2002, lot line adjustments are limited to four or fewer existing adjoining parcels. In addition, the new parcels must comply not only with zoning and building regulations, but also with the general plan and any applicable coastal plan. The County's local ordinance allows a determination to be made that the proposed situation is equal to or better than the existing situation. Because the parcel sizes are below minimum parcel size as set through the General Plan and will remain so after the adjustment, staff has concluded that the adjustment is consistent with both state and local.

LEGAL LOT STATUS:

Certificates of compliance (2002-14463 and 2002-14464) have been issued for the two parcels.

FINDINGS - EXHIBIT A

- A. The proposed Lot Line Adjustment is consistent with the provisions of Section 21.02.030 of the Real Property Division Ordinance because the adjustment will result in the reconfiguration of the two parcels to configure the parcels to create two parcels of 257 and 186 acres each. The lot line adjustment is proposed to provide a building site that would reduce environmental impacts to the larger parcel. The proposal would relocate the existing agricultural access road on Parcel 1 to Parcel 2. The proposal is considered to be equal to the existing parcel configuration in terms of agricultural resources.

The present land use is grazing. According to Section 22.22.040 of the Land Use Ordinance the minimum parcel sizes for agriculture land used for grazing is 320 acres. Both existing parcels are legal nonconforming to minimum parcel size. Although the 203 parcel will become less conforming to minimum parcel size by the amount of 17 acres, the 240 acre parcel will become more conforming to minimum parcel size by the amount of 17 acres so the parcels resulting from the adjustment will maintain a positive position which is better than or equal to, the existing situation relative to the County's zoning and building ordinances.

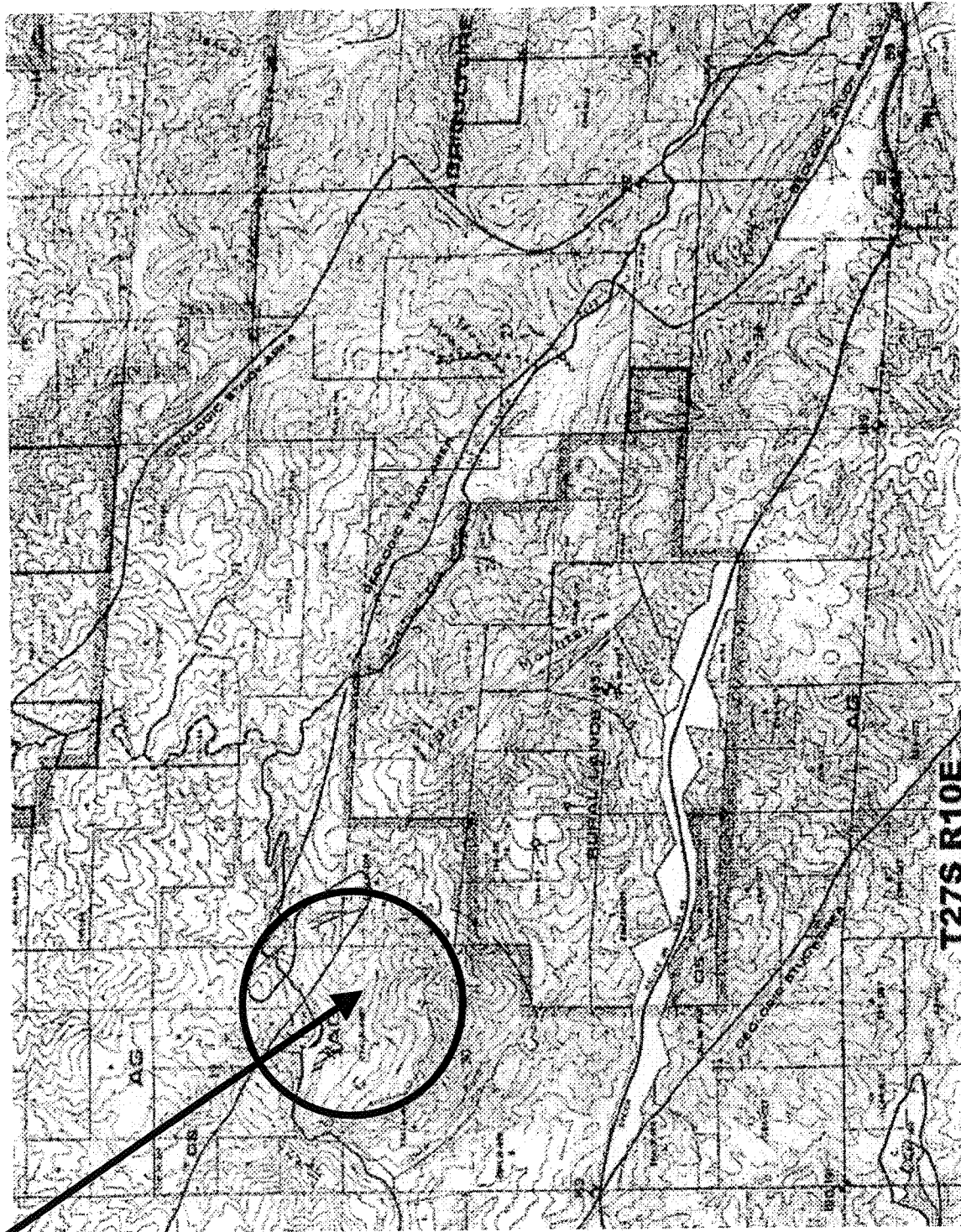
- B. The proposal will have no adverse effect on adjoining properties, roadways, public improvements, or utilities.
- C. Compliance with the attached conditions will bring the proposed adjustment into conformance with the Subdivision Map Act and Section 21.02.030 of the Real Property Division Ordinance.
- D. The project qualifies for a General Rule Exemption pursuant to CEQA Guidelines Section 15061(b) (3) because no environmental resources will be significantly impacted by this lot line adjustment. The property does not have significant value for wildlife habitat. There are no trees to be impacted by the proposed future site of a single-family dwelling as a result of this lot line adjustment. Due to the average slopes on the majority of the parcel being greater than 30%, this lot line adjustment will provide a building site that would reduce the environmental impacts that could occur on the larger parcel. Therefore, it can be seen with certainty that there is no possibility that this project may have a significant effect on the environment.

CONDITIONS - EXHIBIT B

1. This adjustment may be effectuated by recordation of a parcel map or recordation of certificates of compliance. If a map is filed, it shall show:
 - a. All public utility easements.
 - b. All approved street names.
2. Any private easements described in the title report must be shown on the map, with recording data.
3. When the map is submitted for checking, or when the certificate of compliance is filed for review, provide a preliminary title report to the County Engineer or the Planning Director for review.
4. All conditions of approval herein specified are to be complied with prior to the recordation of the map or certificates of compliance which effectuate the adjustment. Recordation of a map is at the option of the applicant. However, if a map is not filed, recordation of a certificate of compliance is mandatory.
5. The map or certificates of compliance shall be filed with the County Recorder prior to transfer of the adjusted portions of the property or the conveyance of the new parcels.
6. In order to consummate the adjustment of the lot lines to the new configuration when there is multiple ownerships involved, it is required that the parties involved quitclaim their interest in one another new parcels. Any deeds of trust involving the parcels must also be adjusted by recording new trust deeds concurrently with the map or certificates of compliance.
7. If the lot line adjustment is finalized using certificates of compliance, prior to final approval the applicant shall prepay all current and delinquent real property taxes and assessments collected as real property taxes when due prior to final approval.
8. The lot line adjustment will expire two years (24 months) from the date of the approval, unless the map or certificates of compliance effectuating the adjustment is recorded first. Adjustments may be granted a single one year extension of time. The applicant must submit a written request with appropriate fees to the Planning Department prior to the expiration date.
9. All timeframes on completion of lot line adjustments are measured from the date the Review Authority approves the lot line adjustment map, not from any date of possible reconsideration action
10. All parcels shall be provided with legal access from a public road. Easements or offers of dedication with a minimum width of 20 feet shall be recorded for all parcels that currently do not have access. These shall be shown on a map (if a map is used to final the adjustment) or recorded with the certificates of compliance.

Staff report prepared by Holly Phipps and reviewed by Kami Griffin.





SITE

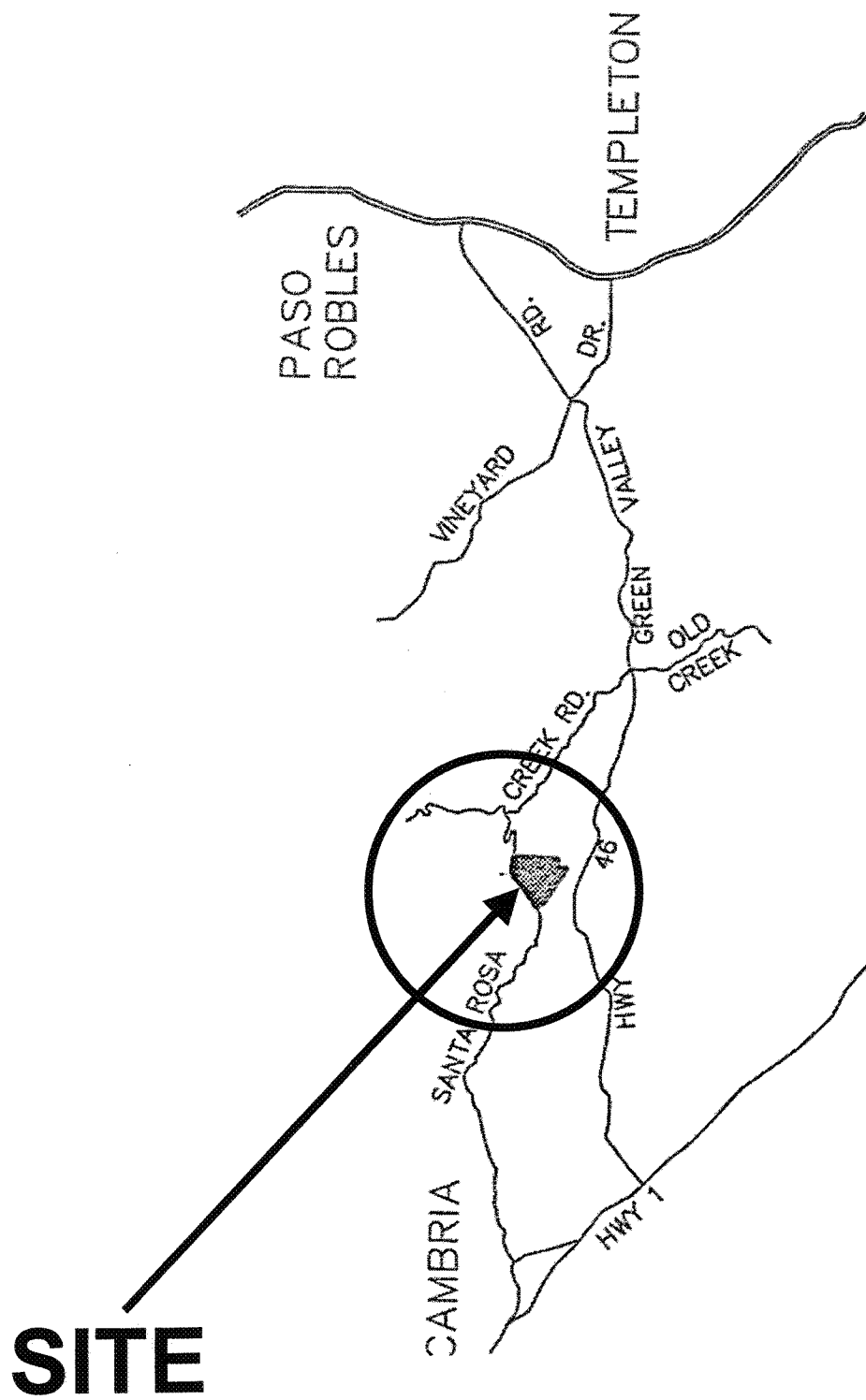
PROJECT

Lot Line Adjustment
Soto SUB2004-00387



EXHIBIT

Land Use Category



PROJECT

Lot Line Adjustment
Soto SUB2004-00387



EXHIBIT

Vicinity Map



COUNTY OF SAN LUIS OBISPO

Department of Agriculture/Measurement Standards

2156 SIERRA WAY, SUITE A • SAN LUIS OBISPO, CALIFORNIA 93401-4556

ROBERT F. LILLEY

AGRICULTURAL COMMISSIONER/SEALER

(805) 781-5910

FAX (805) 781-1035

AgCommSLO@co.slo.ca.us

DATE: July 1, 2005

TO: Josh LeBombard, Project Manager

FROM: Lynda L. Auchinachie, Agriculture Department

SUBJECT: Soto Lot Line Adjustment SUB2004-00387 (1049)

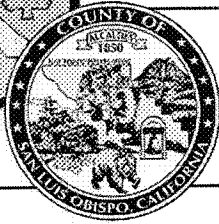
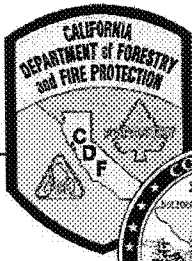
Comments

The applicant proposes to reconfigure two existing parcels of 240 and 203 acres each to create two parcels of 257 and 186 acres each. The lot line adjustment is proposed to provide a building site that would reduce associated impacts on the larger parcel. The proposal would relocate the existing agricultural access road on Parcel 1 to Parcel 2. The project site is located on Santa Rosa Creek Road and is currently used for grazing. The properties are under a Williamson Act contract.

The Agriculture Department's considers the proposal to be **equal** the existing parcel configuration in terms of agricultural resources as long as access for agricultural purposes is maintained for both parcels. This determination is based on a comparison of the proposed and existing parcels when considering potential long-term impacts to agricultural resources and operations.

Comments are based on current departmental objectives to conserve agricultural resources and to provide for public health, safety and welfare, while mitigating negative impacts of development to agriculture.

If you have questions, please call 781-5914.



CDF/San Luis Obispo County Fire Department

635 N. Santa Rosa • San Luis Obispo • California 93405

June 16, 2005

North County Team
County of San Luis Obispo
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

Subject: Parcel Map Project # SUB2004-00387

Dear North County Team,

I have reviewed the referral for the parcel map plans for the proposed lot line adjustment, two parcel subdivision project located at Santa Rosa Creek Road, seven miles east of Cambria. This project is located approximately 20 to 30 minutes from the closest CDF/San Luis Obispo County Fire Station. The project is located in State Responsibility Area for wildland fires. It is designated a Moderate Fire Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following conditions will apply to this project:

Access Road

An access road must be constructed to CDF/County Fire standards when it serves more than one parcel; access to any industrial or commercial occupancy, or vehicular access to a single parcel with more than two buildings or four or more dwelling units.

- The road must be 18 feet in width and an all weather surface.
- If the road exceeds 12% it must have a non-skid paved surface.
- Roads may not exceed 16% without special mitigation and shall not exceed 20%.
- All roads must be able to support a 20 ton fire engine.
- Road must be named and addressed including existing buildings.
- A turnaround must be provided if the road exceeds 150 feet.
- Vertical clearance of 13'6" is required.

Driveway

A driveway is permitted when it serves no more than two buildings, with no more than 3 dwelling units or a single parcel, and any number of accessory buildings.

- Driveway width for high and very high fire severity zones:
 - 0-49 feet, 10 feet is required
 - 50-199 feet, 12 feet is required
 - Greater than 200 feet, 16 feet is required
- Turnarounds must be provided if driveway exceeds 300 feet.

Water Supply

The following applies:

- ☐ This project will require a community water system which meets the minimum requirements of the Appendix III-A & III-B of the California Fire Code.
- ☒ A water storage tank with a capacity determined by a factor of the cubic footage of the structure will be required to serve each existing and proposed structure. A residential fire connection must be located within 50 to 150 feet of the buildings.

Fuel Modification

- Vegetation must be cleared 10 feet on each side of the driveways and access road.
- Maintain around all structures a 30 foot firebreak. This does not include fire resistive landscaping.
- Remove any part of a tree that is within 10 feet of a chimney.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other flammable material.

If I can provide additional information or assistance, please call 543-4244.

Sincerely,

Chad T. Zrelak

cc: Soto
Wilson Land Surveys



10
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

JUN 10 2005

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

6/9/05

FROM

PW

FROM
76

North Co. Team

(Please direct response to the above)

SOTD / COAL 05-0177

SUB 2004-00387

Project Name and Number

Development Review Section (Phone:

788-2009)

*OR ASK THE SWITCH-
BOARD FOR THE PLANNING

PROJECT DESCRIPTION: LLA -> COAL 05-0177. TO adjust property line to provide bldg. site for parcel 1. 257 & 173+ acres proposed. 014-191-060 & 061. Located between Cambria & Templeton (off Hwy 46) on Santa Rosa Creek Rd

Return this letter with your comments attached no later than:

6/24/05

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES
☐ NO

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO (Please go on to Part III)
☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

Recommend Approval - No Concerns

21 July 2005
Date

Goodman
Name

5252
Phone

GENERAL APPLICATION FORM

San Luis Obispo County Department of Planning and Building File No _____

APPLICATION TYPE CHECK ALL THAT APPLY

- | | | | |
|--|---|--|---|
| <input type="checkbox"/> Public Lot | <input type="checkbox"/> Voluntary Merger | <input type="checkbox"/> Certificate of Compliance | <input checked="" type="checkbox"/> Lot Line Adjustment |
| <input type="checkbox"/> Parcel Map | <input type="checkbox"/> Tract Map | <input type="checkbox"/> Receiving Site | <input type="checkbox"/> Sending Site |
| <input type="checkbox"/> Condominium (new or conversion) | <input type="checkbox"/> Road Abandonment | <input type="checkbox"/> Road Name | |
| <input type="checkbox"/> Reversion to Acreage | <input type="checkbox"/> Reconsideration | | |

APPLICANT INFORMATION Check box for contact person assigned to this project

☐ Landowner Name Steven A. Soto, James F. Soto Daytime Phone _____
Mailing Address same as Applicant Zip _____
Email Address: _____

☐ Applicant Name Steven A. Soto, Trustee Daytime Phone 466-1054
Mailing Address 2825 Monterey Rd., Atascadero Zip 93422
Email Address: 3sotos@sbcglobal.net

☒ Agent Name Wilson Land Surveys, Inc. Daytime Phone 466-2445
Mailing Address 7600 Morro Rd., Atascadero Zip 93422
Email Address: kenw@wilsonlandsurveys.com

PROPERTY INFORMATION

Total Size of Site: 443 AC ± Assessor Parcel Number(s): 014-191-060, 061

Legal Description: Portion Sec. 30 T27S R10E MDBM

Address of the project (if known): _____

Directions to the site - describe first with name of road providing primary access to the site, then nearest roads, landmarks, etc.: East from Cambria approximately 7 miles on Santa Rosa Creek Rd.

Describe current uses, existing structures, and other improvements and vegetation on the property: Mostly vacant and used for cattle. Existing house along S. line Parcel 2. Areas of grassland.

PROPOSED PROJECT

Describe the proposed project (inc. size of all proposed parcels): Adjust property line to provide building site for Parcel 1. 257 and 173 acres ± proposed.

LEGAL DECLARATION

I, the owner of record of this property have completed this form accurately and declare that all statement here are true. I do hereby grant official representatives of the county authorization to inspect the subject property.

Property owner signature [Signature] Date 5-26-05

FOR STAFF USE ONLY

Minimum Parcel Size: _____ ☐ sq. feet ☐ acres ☐ by PAS? ☐ by Ordinance?



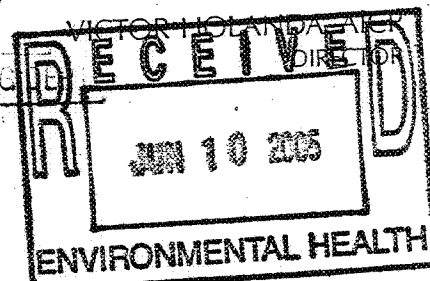
JXL

10

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

JUN 22 2005

S.L.O. CO. PLANNING



THIS IS A NEW PROJECT REFERRAL

DATE:

6/9/05

TO:

Env Health

FROM:

North W. Team

(Please direct response to the above)

SOTD / COAL 05-0177

SUB 2004-00387

Project Name and Number

Development Review Section (Phone:

788-2009)

*OR ASK THE SWITCH-
(BOARD FOR THE PLANNER)

PROJECT DESCRIPTION:

LLA -> COAL 05-0177. TO adjust
property line to provide bldg. site for parcel 1. 257 & 173±
acres proposed. 014-191-860 & 061. Located between
Cambria & Templeton (off Hwy. 46) on Santa Rosa Creek Rd

Return this letter with your comments attached no later than:

6/24/05

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

YES

NO

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF
REVIEW?

NO

(Please go on to Part III)

YES

(Please describe impacts, along with recommended mitigation measures to
reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of
approval you recommend to be incorporated into the project's approval, or state reasons for
recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

Due to the larger parcel sizes Environmental Health
has no concerns at this time

Date

6/22/05

Name

X. Salo

Phone

781-5551